

#### REMARKS

This is in response to the Official Action of September 1, 2006.

In response to the requirement for restriction set forth in paragraph 1 of the official action, applicants hereby elect the claims of **Group I**, claims 1-9, for substantive examination. The claims of **Group II**, claims 10-20, are cancelled herein, without prejudice to the filing of a divisional application thereon.

In response to the requirement for an election of a virus species set forth in paragraph 2 of the official action, applicants hereby elect **human cytomegalovirus (HCMV)**. This election is without traverse on the understanding that, upon the finding of an allowable species, examination will continue with the non-elected species until all species have been examined or a non-allowable species is found. Currently, claims 1-9 and new claim 21 are readable on the elected species.

In response to the requirement for an election of a compound species set forth in paragraph 3 of the official action, applicant hereby elects the compound **1-hydroxy-3-isopropoxy-7-methoxyacridone** (or **compound 8** in the examples). Alternatively stated with reference to the indicated groups, applicant hereby elects the compound of Formula I wherein:

R<sup>1</sup> is alkyl (and is specifically isopropyl);

R<sup>2</sup> is alkyl (and is specifically methyl);

X<sup>1</sup> is O;

X<sup>2</sup> is O;

X<sup>3</sup> is O;

X<sup>4</sup> is O;

Y is N;

R<sup>3</sup> is H; and

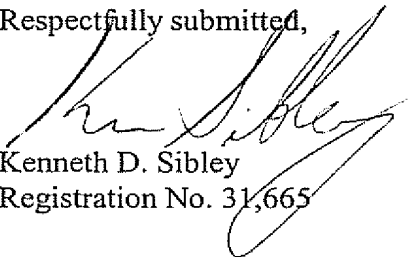
R<sup>4</sup> is absent (due to the selection of Y as N).

This election is without traverse on the understanding that, upon the finding of an allowable species, examination will continue with the non-elected species until all species have been examined or a non-allowable species is found. Currently, claims 1-2, 4-5, 9, and new claim 21 are readable on the elected species.

The requirement for election set forth in paragraph 4 of the official action is respectfully submitted to be moot, due to cancellation of the pertinent claims in response to the requirement for restriction noted above.

It is respectfully submitted that this application is in condition for substantive examination and allowance, which action is respectfully requested.

Respectfully submitted,



Kenneth D. Sibley  
Registration No. 31,665


**USPTO Customer No. 20792**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428, Raleigh, NC 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

Doc. 534603

**CERTIFICATION OF TRANSMISSION  
UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on September 29, 2006 using the EFS:

Signature:  Date: Sept. 29, 2006  
Typed Name of Person Signing Certificate: Sarah Abraham